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NOTE VERBALE DATED 4 MAY 1994 FROM THE PERMANENT REPRESENTATIVE OF IRELAND TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

The Permanent Representative of Ireland to the United Nations presents his compliments to the Secretary-General of the United Nations and has the honour to refer to Security Council resolution 883 adopted on 11 November 1993 which extended sanctions against the Libyan Arab Jamahiriya.

The Permanent Representative of Ireland wishes to inform the Secretary-General that the following Statutory Instruments have been made to implement the terms of resolution 883:

S.I. No. 384 of 14 December 1993 - European Communities (Prevention of Supply of Certain Goods and Services to Libya) Regulations, 1993.

S.I. No. 385 of 14 December 1993 - European Communities (Prohibition of Satisfaction of Certain Contractual Claims arising from Trade Sanctions against Libya) Regulations, 1993.

S.I. No. 410 of 23 December 1993 - Financial Transfers (Libya) Order, 1993.

S.I. No. 326 of 21 October 1993 - Air Services Authorization Order, 1993.

Copies of these Statutory Instruments are enclosed for reference.* It will be noted that S.I. No. 326 of 1993 was signed by the Minister for Transport, Energy and Communications on 21 October 1993, and came into operation on 1 December 1993. It is considered that this Statutory Instrument prohibits trade between the European Union and the Libyan Arab Jamahiriya, as it applies to civil aviation, and that it gives effect to the civil aviation restrictions contained in Security Council resolution 883.

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* The text of the Statutory Instruments may be consulted in room S-3545.

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LETTER DATED 9 MAY 1994 FROM THE REPRESENTATIVES OF UGANDA AND THE UNITED STATES OF AMERICA ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

We have the honour to forward herewith a joint press statement issued in Kampala on 7 May 1994 by President Yoweri Museveni of the Republic of Uganda and United States Assistant Secretary of State for Human Rights and Humanitarian Affairs John Shattuck.

We should be grateful if you could kindly arrange to have this statement circulated as a document of the Security Council.

(Signed) Anne MUGISHA
Chargé d'affaires a.i.
Permanent Mission of Uganda
to the United Nations

(Signed) Edward S. WALKER
Deputy Permanent Representative
of the United States of America
to the United Nations

Annex

Uganda and the United States call for immediate cease-fire in Rwanda

Kampala, 7 May 1994

Following exhaustive discussions on the grave situation in Rwanda, President Yoweri Museveni and United States Assistant Secretary of State for Human Rights and Humanitarian Affairs John Shattuck agreed to issue the following joint press statement:

"On 6 May 1994, President Yoweri Museveni received President Clinton's Special Envoy, Assistant Secretary of State for Human Rights and Humanitarian Affairs John Shattuck, to discuss the ongoing tragedy in Rwanda.

"Mr. Shattuck was accompanied by Ambassador Johnnie Carson, United States Ambassador to Uganda, and Ambassador David Rawson, United States Ambassador to Rwanda. President Museveni was accompanied by the Hon. Paul K. Ssemogerere, Second Deputy Prime Minister and Minister for Foreign Affairs, the Hon. Agard Didi, Deputy Minister for Foreign Affairs and Mr. Chris Katsigazi, Permanent Secretary, Ministry of Foreign Affairs.

"The President and the Assistant Secretary of State held exhaustive discussions on the grave situation obtaining in Rwanda. In particular, they discussed the resumption of hostilities between the Rwandese government forces and those of the Rwandese Patriotic Front, the continued massacres of civilians and the resulting exodus of refugees into neighbouring countries.

"They expressed deep concern over the tragic humanitarian catastrophe prevailing in Rwanda and the suffering that the hostilities have brought upon the civilian population.

"The President and Mr. Shattuck agreed that Rwandese leaders must end all forms of violence against civilians and engage in an immediate cease-fire through a process of military-to-military negotiations as discussed at Arusha. They also discussed and agreed on the need to curb the flow of arms into the country.

"President Museveni and Assistant Secretary Shattuck agreed that an inquiry into human rights violations in Rwanda should be initiated urgently. They welcomed the announcement by United Nations High Commissioner for Human Rights Ayala Lasso that he would undertake a mission next week to Rwanda. They expressed support for the idea of convoking a special session of the United Nations Commission on Human Rights to examine urgently the human rights crisis in Rwanda.

"President Museveni and Mr. Shattuck discussed the urgent need for unimpeded access to all forms of humanitarian assistance, especially food

and emergency medical attention, for all displaced persons and others in need in Rwanda. During the discussion, President Museveni expressed support for an enhanced international presence in Rwanda to achieve these objectives and facilitate dialogue.

"President Museveni proposed a regional summit at which all the warring parties would be represented as the best way of finding a lasting solution to the conflict in Rwanda.

"Assistant Secretary Shattuck reiterated the strong United States commitment to work with others in the international community to help to provide humanitarian assistance for the victims of the Rwanda crisis. He expressed President Clinton's deep appreciation for the leadership role President Museveni had undertaken in seeking a solution to the tragedy in Rwanda."

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LETTER DATED 10 MAY 1994 FROM THE CHARGÉ D'AFFAIRES A.I. OF THE PERMANENT MISSION OF UGANDA TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

Yesterday, the Permanent Mission of Uganda issued a press release highlighting the leading role played by the President of Uganda, H.E. Yoweri Museveni, in seeking a solution to the tragedy in Rwanda.

In particular, the press release highlighted President Museveni's discussions with the Assistant Secretary of State for Humanitarian Affairs of the United States of America. During those discussions President Museveni expressed the concern of all Ugandans, stressing that the Ugandan Government was greatly disturbed by the continuing bloodshed in Rwanda.

The President and Mr. Shattuck (Assistant Secretary of State) agreed that Rwandese leaders must end all forms of violence against civilians and engage in an immediate cease-fire through a process of military-to-military negotiations as discussed at Arusha. They also discussed and agreed on the need to curb the flow of arms into the country.

President Museveni and Assistant Secretary Shattuck agreed that an inquiry into human rights violations in Rwanda should be initiated urgently. They welcomed the announcement by United Nations High Commissioner for Human Rights Ayala Lasso that he would undertake a mission next week to Rwanda. They expressed support for the idea of convoking a special session of the United Nations Commission on Human Rights to examine urgently the human rights crisis in Rwanda.

President Museveni and Mr. Shattuck discussed the urgent need for unimpeded access to all forms of humanitarian assistance, especially food and emergency medical attention, to all displaced persons and others in need in Rwanda. During the discussion, President Museveni expressed support for an enhanced international presence in Rwanda to achieve these objectives and facilitate dialogue.

President Museveni proposed a regional summit at which all the warring parties would be represented as the best way of finding a lasting solution to the conflict in Rwanda.

Assistant Secretary Shattuck reiterated the strong United States commitment to work with others in the international community to help to provide humanitarian assistance for the victims of the Rwanda crisis. He expressed President Clinton's deep appreciation for the leadership role President Museveni had undertaken in seeking a solution to the tragedy in Rwanda.

President Museveni also received the special envoys of President Mobutu of Zaire and President Mwinyi of the United Republic of Tanzania on 7 May 1994 to discuss further regional efforts towards a lasting peaceful settlement of the crisis.

The presence of the United Nations Observer Mission Uganda-Rwanda (UNOMUR) together with the Ugandan Government's support for an arms embargo should be very reassuring to the fears expressed by the Permanent Representative of Rwanda in his letter to you dated 2 May 1994 (S/1994/531).

In that letter also, the Permanent Representative referred to an increase in the staff and capacity of UNOMUR besides the strengthening of the United Nations Assistance Mission in Rwanda (UNAMIR). The Ugandan Government fails to see the connection there unless there is a quiet implication that UNOMUR has failed in its duties to monitor the Uganda/Rwanda border, which of course is not the case.

Moreover, it should be very clear that there is a distinct difference in the roles and mandates of the two missions, UNAMIR and UNOMUR, and there should be no indirect attempt to merge the two.

The Ugandan Government will continue to offer its full cooperation to all regional and international efforts towards the attainment of a lasting peaceful settlement to the Rwanda crisis.

I should be grateful if you would kindly circulate this letter as a document of the Security Council.

(Signed) Anne MUGISHA
Chargé d'affaires a.i.

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LETTER DATED 9 MAY 1994 FROM THE PERMANENT REPRESENTATIVE OF BOSNIA AND HERZEGOVINA TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

The latest information provided by relevant United Nations officials regarding the transit of Serbian tanks through the Sarajevo exclusion zone, rather than clarifying it, in fact further brings into question the judgement of the officials responsible for this venture. Allegedly, the Serbian tanks were given permission to transit through the exclusion zone by the Special Representative of the Secretary-General based on the following reasons:

(a) The tanks were to travel under the control of the United Nations Protection Force (UNPROFOR) and they were to be inoperable during the transfer;

(b) There were no alternate routes for the tanks to travel as the only other "working" route would have taken the tanks through the centre of Gorazde;

(c) The passage of the tanks was not in violation of the exclusion zone as the aim of the exclusion zone was to protect civilians;

(d) To facilitate the peace process.

Regarding the above reasoning, I would like to make the following observations:

(a) The transit of the tanks under United Nations control obviously did not extract a great deal of good will from Karadzic's Serbs, as one of the tanks departed from the convoy while it was in the exclusion zone, and up to this moment, has yet to be located. Needless to say, this faux pas in itself inspires little confidence in our Government towards those United Nations officials responsible for losing a tank;

(b) Alternate routes in fact do exist. These tanks should have been returned to their place of origin, Serbia and Montenegro. Had the tanks been transited back to Serbia, a contribution to the consolidation of the Gorazde exclusion zone would have been achieved while simultaneously preventing the tanks from wreaking havoc in other parts of the Republic of Bosnia and Herzegovina. The tanks' presence in any area of the Republic of Bosnia and Herzegovina directly violates our civilians' security, our Republic's

sovereignty and territorial integrity and numerous Security Council and General Assembly resolutions. The United Nations officials who participated in this misadventure have misused their authority and abused their mandate to contribute to these violations. This is totally unacceptable and exhibits the highest level of indifference and arrogance towards our Republic and the safety of our population. It cannot be emphasized enough that at least part of the reason the war in the Republic of Bosnia and Herzegovina continues is the failure to implement relevant Security Council resolutions. Violations of resolutions by those entrusted to carry out their implementation can hardly be described as a means to end the war;

(c) Furthermore, the reasoning that no civilians were threatened in this transfer fails to take into account the lives of civilians outside the exclusion zone. Does the Special Representative of the Secretary-General really expect that these transited tanks will spare civilians in other Bosnian towns? Such trading of lives is unacceptable to my Government;

(d) For the above-stated reasons and the fact that continued appeasement can only encourage further aggression, this unfortunate incident has actually undermined the peace process. The Serbians now insist on two absolute conditions for negotiations: the lifting of the sanctions before any further talks; and the precommitment to the creation of a Serbian sovereign State out of most of the territory (certainly more than 49 per cent of the Republic of Bosnia and Herzegovina).

One has to question whether the relevant United Nations officials should extend any cooperation to these Serbian elements as long as they adopt these types of uncompromising positions.

May I ask for your kind assistance in circulating this letter as a document of the Security Council.

(Signed) Muhamed SACIRBEY
Ambassador
Permanent Representative

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REPORT OF THE SECRETARY-GENERAL PURSUANT TO RESOLUTION 844 (1993)

I. INTRODUCTION

1. In paragraph 6 of resolution 844 (1993) of 18 June 1993, the Security Council invited the Secretary-General to report on a regular basis on the implementation of that resolution as well as of resolution 836 (1993) of 4 June 1993. The present report is submitted, further to previous reports dealing with the safe areas (S/1994/291 and S/1994/300), in order to inform the Council of the results achieved and lessons learned, as well as to propose some improvements in the short term with a view to ensuring more effective implementation of the concept within the overall goal of restoring peace in Bosnia and Herzegovina.

II. INITIAL SAFE-AREA CONCEPT

2. Srebrenica was the first safe area declared by the Security Council in its resolution 819 (1993) of 16 April 1993. Subsequently, Sarajevo, Tuzla, Zepa, Gorazde and Bihac and their surroundings were also declared to be safe areas in Security Council resolution 824 (1993) of 6 May 1993. In these resolutions, the safe areas were envisaged to be areas free from armed attacks and from any other hostile acts that would endanger the well-being and the safety of their inhabitants and where the unimpeded delivery of humanitarian assistance to the civilian population would be ensured.

3. In order to ensure full respect for the safe areas, by resolution 836 (1993), paragraph 5, the Council extended the mandate of the United Nations Protection Force (UNPROFOR) to enable it, in the safe areas, to deter attacks against the areas, to monitor the cease-fire, to promote the withdrawal of military or paramilitary units other than those of the Bosnian Government and to occupy some key points on the ground, in addition to participating in the delivery of humanitarian relief.

4. In paragraph 9 of the same resolution, UNPROFOR was authorized, in carrying out its mandates and acting in self-defence, to take the necessary measures including the use of force in reply to:

(a) Bombardments against the safe areas by any of the parties;

(b) Armed incursion into the safe areas;

(c) Deliberate obstruction in or around the safe areas to the freedom of movement of UNPROFOR or of protected humanitarian convoys.

5. The Security Council also decided, in paragraph 10 of its resolution 836 (1993), that "Member States, acting nationally or through regional organizations or arrangements, may take, under the authority of the Security Council and subject to close coordination with the Secretary-General and UNPROFOR, all necessary measures, through the use of air power, in and around the safe areas in the Republic of Bosnia and Herzegovina, to support UNPROFOR in the performance of its mandate set out in paragraphs 5 and 9".

6. In my report pursuant to Security Council resolution 836 (1993) (S/25939), I indicated that approximately 34,000 additional troops would be required in order to ensure full respect for the safe areas. However, taking into account the realistic volume of troops and material resources expected to be made available to UNPROFOR, it was proposed to start, as an initial approach with limited objectives, with a minimal troop reinforcement of 7,600. This "light option" could not in itself guarantee the defence of the safe areas, but would provide a basic level of deterrence, assuming the consent and cooperation of the parties. This proposal was approved by the Security Council in its resolution 844 (1993). However, even this minimum requirement was not met by the troop contributors, thus severely limiting UNPROFOR's presence in the safe areas.

III. RESULTS ACHIEVED

7. In Srebrenica and Zepa, the concept has been applied with a greater degree of effectiveness than in the other areas. In these two areas, the warring parties agreed upon a cease-fire on the confrontation line, deployment of UNPROFOR troops, medical evacuation, ad hoc demilitarization, freedom of movement and other related measures. Although the implementation of these agreements has been far from complete and has led to many problems, UNPROFOR has been able to deploy troops on the ground. The presence of UNPROFOR troops in these towns and their surroundings has served to enhance the security of the population and to stabilize the situation in these areas. Unfortunately, such an agreement did not prove possible in respect of the other four safe areas.

8. Following the agreement at Zepa, UNPROFOR attempted unsuccessfully to have the parties reach a detailed safe-area agreement for Sarajevo. Only after the tragic shelling of the Sarajevo market square, the letter sent by the Secretary-General to the North Atlantic Treaty Organization (NATO) on 6 February 1994 (see S/1994/131, annex), and the resultant threat of NATO intervention, was it possible to negotiate an agreement between the Bosnian government and Serb forces whereby, on 9 February 1994, they agreed to the interpositioning of UNPROFOR forces and the withdrawal out of range or placement under UNPROFOR control of heavy weapons. On 10 February 1994, the North Atlantic Council declared that non-compliance with the withdrawal of heavy weapons from a 20-kilometre radius from the centre of Sarajevo would result in the initiation of air strikes 10 days from that date. This facilitated implementation of the agreement by the parties because of the added notion of enforcement by a

credible third party. Ultimately, heavy weapons were either withdrawn or placed under UNPROFOR control in a number of weapons-control sites. As a result of this agreement, Sarajevo has been free from heavy-weapons attack.

9. From the outset, shortage of troops and the resultant inability to place United Nations troops in the area, coupled with the unwillingness of the parties to negotiate, made it impossible to achieve a specific safe-area agreement for Gorazde or to delineate the boundaries of the area. UNPROFOR's presence was limited to no more than eight observers. As a result, UNPROFOR was in a position only to observe when the Serb offensive on that area began in March 1994. When close air support was employed in defence of the endangered United Nations personnel in Gorazde, the Bosnian Serbs reacted strongly by detaining a large number of United Nations personnel and imposing major obstructions to freedom of movement. After much effort on the part of UNPROFOR, coupled with the further threat of NATO air strikes at the request of the Secretary-General, an agreement was ultimately achieved between UNPROFOR and the Bosnian Serb authorities for the withdrawal of all Serb forces from within a 3-kilometre zone, and of heavy weapons from within a 20-kilometre zone around the centre of the town.

10. The involvement of NATO in facilitating the implementation of the Sarajevo and Gorazde agreements has placed a substantial number of additional coordination and monitoring responsibilities on UNPROFOR. In this regard, UNPROFOR owes an obligation to the parties to the agreements, and to the Security Council, to ensure that any use of air strikes is based on verified information. In addition, the use of air power in Bosnia and Herzegovina can expose widely dispersed United Nations military and civilian personnel to retaliation, with limited possibilities for protecting them. Air power has major psychological and political impacts that can alter relationships with the parties and the conduct of ongoing negotiations. The agreement of NATO to act only in full consultation with UNPROFOR addresses these concerns. Exchanges of essential information and consultations are taking place on a daily basis.

11. In its decision of 22 April 1994 in response to my letter of 18 April (S/1994/498), NATO introduced the concept of additional exclusion zones around the safe areas of Zepa, Srebrenica, Bihac and Tuzla. Experience at Sarajevo and Gorazde already indicates that the monitoring and enforcement of these zones requires a considerable commitment of UNPROFOR resources and detailed coordination with NATO. Further analysis is therefore required of such issues as the amount of additional area that UNPROFOR can cover; the accuracy and timeliness of the data that can be acquired; the increasing involvement of NATO; and the execution of appropriate actions, acceptable to both UNPROFOR and NATO, in the specific circumstances that will apply at different times in different safe areas. The particular problem in Bihac, with its own internal conflict, was described in a previous report (S/1994/300), but has not yet been resolved.

IV. LESSONS LEARNED

12. The effective implementation of the safe-area concept depends on the degree of consent by the parties on the ground. It has been facilitated, in the areas where an individual agreement was achieved, by a clear demarcation of the area

in question and a concise statement of the obligations that each party would respect. Such an agreement was also reached more easily where the parties considered that they had no further operational objectives in the area.

13. The failure of the safe-area concept to protect the civilian population of Gorazde has highlighted a number of problems, including the appalling living conditions in these areas, their social and economic unviability and the fact that the Army of Bosnia and Herzegovina has used the safe areas as locations in which its troops can rest, train and equip themselves as well as fire at Serb positions, thereby provoking Serb retaliation. A more detailed discussion of these problems is contained in paragraphs 30 to 35 of my report of 16 March 1994 (S/1994/300). A number of additional points need to be further emphasized from UNPROFOR's point of view. First, UNPROFOR's protection role is derived from its mere presence: UNPROFOR is neither structured nor equipped for combat and has never had sufficient resources, even with air support, to defend the safe areas against a deliberate attack or to hold ground. Second, UNPROFOR's humanitarian and monitoring tasks in Bosnia and Herzegovina are not restricted solely to the safe areas. They apply equally throughout the Republic. Experience since June 1993 has shown that it is difficult to move troops from safe areas, once the situation has stabilized, to more urgent tasks elsewhere. Safe areas have, therefore, further restricted the flexibility that is needed when only limited resources are available. Third, as previously stated, clearly defined boundaries have not been agreed by the parties for Tuzla, Gorazde and particularly Bihac, where there are special difficulties owing to an internal conflict and the launching of indirect fire into the pocket from the United Nations protected areas (UNPAs) in Croatia. Fourth, weapons collection sites tie down scarce troops in static tasks, rather than in pro-active patrolling or other protective measures. Further, it is apparent that the parties do not believe that the weapons in the collection sites are intended to be inaccessible to them: in Srebrenica, for example, the citizens have on a number of occasions requested that weapons be returned and Serb forces in Sarajevo have temporarily withdrawn weapons, during periods of increased tension, although they were subsequently returned as a result of UNPROFOR pressure. Finally, the use or threat of use of air power in support of the safe areas has interrupted the delivery of humanitarian assistance through areas controlled by the Bosnian Serbs.

14. The failure of the warring parties to understand or fully respect the safe-area concept is a particularly serious problem that has become starkly evident in Gorazde. The Bosnian Government expected UNPROFOR to intervene to protect as much of the territory under its control as possible, and called for the early employment of large-scale air strikes in order to break the offensive capability of Serb forces. Government forces armed themselves and conducted military activities from within the safe area. The Bosnian Serbs, on the other hand, regarded UNPROFOR's very limited use of close air support as an intervention on behalf of their opponents, and did not hesitate to attack a populated area. UNPROFOR's neutrality and credibility were strongly challenged by the different attitudes and expectations of each party, and their respective demands and complaints heightened tension with the United Nations and for a time seriously impaired working relationships.

15. In short, UNPROFOR found itself in a situation where many safe areas were not safe, where their existence appeared to thwart only one army in the conflict, thus jeopardizing UNPROFOR's impartiality, and where UNPROFOR's role needed to be adequately defined in a manner that would be compatible with the rest of its mandate. As a result of these problems, UNPROFOR has attempted to redefine the safe-area concept in order to reduce ambiguity, enhance credibility and even-handedness and improve the protection of civilians to the extent possible with available resources.

V. THE WAY AHEAD

16. There has existed a certain ambiguity as regards UNPROFOR's mandate in the safe area: is its role to defend a geographically defined safe area or is it to deter, through its presence, attacks on the civilian populations living therein? The Security Council clearly intended the latter, but a perceived lack of clarity of intent may have contributed to misunderstandings and false expectations, by both warring parties and by the international community, of UNPROFOR's responsibilities in Gorazde. Based on a careful analysis of Security Council resolutions 824 (1993), 836 (1993), 844 (1993) and 913 (1994) as well as relevant reports of the Secretary-General, UNPROFOR understands its mission as follows:

> To protect the civilian populations of the designated safe areas against armed attacks and other hostile acts, through the presence of its troops and, if necessary, through the application of air power, in accordance with agreed procedures.

17. UNPROFOR's ability to perform this mission is necessarily limited: first, by the availability of troops and the dissuasive effect of their deployment and, second, by its reactive capability, given the specific circumstances of any particular attack. Should UNPROFOR's presence prove insufficient to deter an attack, it could be required to resort to close air support to protect its own members or to request air strikes to compel an end to the attack on the safe areas.

18. In order to implement the above mission, the safe areas should be defined so that UNPROFOR may provide, within the limit of its resources under the "light option", effective and credible protection to the population within the area. This in turn requires that the safe areas, described as "towns and surroundings" in resolution 824 (1993), be clearly delineated, with due regard to the densely populated area. In coordination with the parties, UNPROFOR is elaborating proposed boundaries of the safe areas that meet these requirements. They take account of the circumstances specific to each area, but in view of wide divergences between the parties, represent UNPROFOR proposals that have not been agreed with the parties. It is UNPROFOR's judgement that such agreement is not likely to be forthcoming and that the Security Council should mandate UNPROFOR to establish, on its own responsibility, the operational boundaries of the areas the Force finds itself able to protect.

19. It must be emphasized that, should the Council agree to the above approach, the boundaries delineated by UNPROFOR should, in no way, be considered as

recognition of the acquisition of territory by force. Rather, these proposals necessarily reflect the realities on the ground and UNPROFOR's limited resource capacity, and attempt to provide an operational definition of the safe-area concept as originally devised in resolution 824 (1993). They would be without prejudice to the existing confrontation lines and to the final status of the territory within, or outside, the proposed boundaries. Given the difficult social and economic conditions in most of these areas, free and unimpeded access for humanitarian agencies is essential. Obviously, the attitude of the parties to the boundaries established by UNPROFOR will have a crucial bearing on the Force's ability to keep the safe areas safe.

20. UNPROFOR is determined to continue its efforts to ensure delivery of humanitarian assistance to civilians in need anywhere in Bosnia and Herzegovina, and at the same time to facilitate the achievement of an overall political solution to the conflict. The Force has, however, limited resources to deal with other vital tasks in addition to the safe areas. The most important of these are the agreements in Sarajevo, the UNPAs, Mostar and central Bosnia and Herzegovina. These agreements are central to the welfare of the majority of the population, as well as to the furtherance of the peace process. Despite a significant reduction in levels of conflict, there also remains the requirement to escort humanitarian aid, which could increase at short notice, as well as the introduction of new tasks in support of normalization and reconstruction. While acknowledging that a narrow delineation of safe areas raises complex political and legal questions, such a definition by UNPROFOR would be the only practical and achievable one from the military point of view, given the nature of UNPROFOR as a lightly armed, impartial, international force.

21. The presence of a sufficient number of armed UNPROFOR troops in each of the safe areas thus defined will deter armed aggression against them. Furthermore, as the warring parties as well as the inhabitants of those areas have an obligation not to use them as a sanctuary from which to launch offensive action of their own, UNPROFOR must be in a position to monitor the activity of both parties. While recognizing the right of the inhabitants to self-defence, UNPROFOR's presence is viewed as a first step towards the eventual demilitarization of the safe area, when the parties are in a position to agree. In that respect and in recognition of its special status, consideration should be given to implementing steps leading to the demilitarization of Sarajevo.

22. In close coordination with NATO authorities, UNPROFOR will monitor the status of the weapon-exclusion zones in Sarajevo and Gorazde. In addition, and bearing in mind the legitimate interests of the parties in those areas not designated as safe areas, UNPROFOR, again in close cooperation with NATO, will maintain reconnaissance of the areas in and around the towns of Bihac, Srebrenica, Tuzla and Zepa. Should UNPROFOR determine that activities in those safe areas pose a threat to their populations, then it will act in accordance with its responsibilities, in close cooperation with NATO.

VI. OBSERVATIONS

23. It is clear that the current approach with respect to the safe areas requires reworking. I believe that the Security Council should consider

refining the safe-area concept as defined in resolution 824 (1993) and expanded in resolution 836 (1993), and support UNPROFOR in making its implementation more effective.

24. In my view, the successful implementation of the safe-area concept requires the acceptance of three overriding principles:

(a) That the intention of safe areas is primarily to protect people and not to defend territory and that UNPROFOR's protection of these areas is not intended to make it a party to the conflict;

(b) That the method of execution of the safe-area task should not, if possible, detract from, but rather enhance, UNPROFOR's original mandates in Bosnia and Herzegovina, namely supporting humanitarian assistance operations and contributing to the overall peace process through the implementation of cease-fires and local disengagements;

(c) That the mandate must take into account UNPROFOR's resource limitations and the conflicting priorities that will inevitably arise from unfolding events.

25. The UNPROFOR approach outlined above would more clearly define the geographical limitations of the safe areas, UNPROFOR's responsibilities therein and the obligations of the warring parties with respect to them. This approach is a manifestation of UNPROFOR's resolve to protect civilian populations, regardless of ethnic background. It is not, however, UNPROFOR's intention to defend territory nor to enter the fray as a belligerent. UNPROFOR has been, is and must remain impartial. If UNPROFOR must have recourse to force, this will be in clearly defined circumstances, triggered by the actions of one or another party to the conflict.

26. The initial application of the safe-area concept in Srebrenica and Zepa, based on specific negotiated agreements between the parties, was successful in lowering levels of hostilities and improving living conditions. However it did not create viable communities. Later agreements, supported by the threat of air strikes, led to the withdrawal or control of heavy weapons of both sides in and around Sarajevo and the withdrawal of Serb forces and heavy weapons from around Gorazde. The safe-area concept has not been seriously tested in Bihac and Tuzla.

27. Should the Council authorize UNPROFOR to establish the geographical demarcations of the safe areas, UNPROFOR has the resources to achieve some success. The actual prospects for this success, however, will depend on the attitudes of the warring parties. For example, both Tuzla and Bihac lie astride important communications routes and are therefore objectives that could invite continued military operations. I should also like to point out that the efforts of UNPROFOR to deal with crises around safe areas are likely, as in Gorazde, to be conducted amidst additional security considerations and under considerable external pressures. These activities can consume a great deal of effort, to the detriment of UNPROFOR's responsibilities in the rest of the mission area. Finally, I must underscore the vital importance of UNPROFOR receiving the level of human and material resources required for the tasks entrusted to it. In this

respect, the continuing shortfall of troops remains a source of considerable concern.

28. I have reflected at length on the feasibility of extending the safe-area concept elsewhere in Bosnia and Herzegovina. For the reasons stated above as well as in my earlier reports to the Council, I do not believe this would be an advisable course of action. While reaffirming the Council's existing commitments undertaken in resolutions 836 (1993) and 844 (1993), I believe that sources of tension elsewhere in the Republic must be dealt with by other measures, including, but not limited to, local cease-fires and modest deployments of UNPROFOR observers. UNPROFOR, overstretched and underresourced as it is in relation to its current mandates, does not have the capacity to rush from crisis to crisis in different areas. It is neither configured nor equipped for mandates to fight or to hold ground. Its operational needs are for flexible deployment and maximum mobility rather than fixed positions in a limited number of areas. These factors dictate clear limits to the concept of safe areas.

29. In summary, in addition to the arrangements now in place for protection of the safe areas, it is necessary:

(a) That the UNPROFOR mission in relation to the safe areas be clearly defined;

(b) That the safe areas be delineated, as proposed by UNPROFOR;

(c) That they be respected. In this regard, I take note of paragraph 4 of resolution 913 (1994) which "calls for an end to any provocative action by whomsoever committed in and around the safe areas";

(d) That complete freedom of movement, on a "notification" (as opposed to "clearance") basis, be ensured for the provision of humanitarian aid to safe areas, as a prelude to further normalization, including the resumption of commercial traffic.

30. Safe areas can be made somewhat more effective and manageable. On the other hand, because of difficulties in their implementation as well as their limited effect, it must be recognized that safe areas do not in themselves represent a long-term solution to the fundamental conflict in Bosnia and Herzegovina, which requires a political and territorial solution. I therefore view the safe-area concept as a temporary mechanism by which some vulnerable populations can be protected pending a comprehensive negotiated political settlement. In this respect, UNPROFOR's protection of the civilian population in safe areas must be implemented so as to provide a positive contribution to the peace process, and not to detract from it.

31. I therefore recommend that the Security Council approve the statement of UNPROFOR's mission in relation to the safe areas as set out in the present report, authorize UNPROFOR to promulgate precise boundaries for these areas and approve the arrangements outlined above for the implementation of that mission.